Rule of Law deficiencies and challenges in Slovakia

"We all need the rule-of-law state. Comprehensible laws that help solve the problems of everyday life without creating new ones, state authorities and police that enforce the rules fairly without abusing them to intimidate the inconvenient, and courts whose decisions are timely and predictable. The Constitutional Court, which serves as a trusted defender of constitutional principles and values."

President Andrej Kiska, State of the Republic Address, June 13, 2018

Introduction

In the very first article of the Constitution of the Slovak Republic, it is explicitly stated that "the Slovak Republic is a sovereign and democratic state governed by the rule of law" (the original text of the Constitution uses the Slovak translation of the German notion "*Rechtsstaat"*). Additionally, Article 2 of the Treaty on the European Union designates the rule of law as one of the core values of the Union.

Slovakia has made significant progress in terms of institutions that uphold democracy and the rule of law compared to the period before its accession to the EU, during which it faced substantial international criticism (see Kusý, 1999). However, there are still numerous areas where democracy and the rule of law require strengthening. One such area is minority rights, where Slovakia still falls short of the standards offset by other liberal-democratic countries. In the 1990s and at the beginning of the millennium, members of national minorities (primarily Hungarians and Roma) were the main targets of political attacks, although verbal attacks against the Roma minority continue to occur today. Presently, members of sexual minority groups (LGBTIQ) are the primary focus of political campaign led by some far-Right, alternative-Right, and nationalist parties. This reached a culmination with the brutal murder of two members of this minority in Bratislava in October 2022.

In what follows, some of the most pressing areas of this kind will be briefly elucidated. These correspond to a large extent with the recent Reports on the Rule of Law, which are regularly published by the European Commission. The introductory part aims to provide a brief elucidation of the substantive meaning of the rule of law, as presented by the Constitutional Court of the Slovak Republic in its previous jurisprudence. Subsequently, some currently perceived deficiencies in this area will be outlined, which largely correspond to the aforementioned reports of the European Commission. However, they will be presented in a broader context, including some details and specifics closely related to the dynamic development of Slovak politics. The deficiencies pertain to the regulation of lobbying, the ombudsperson, the Prosecutor General, the Judicial Council, the rights of national and sexual minorities and the safeguarding of the Constitution against sudden and rapid changes. Their list is not arranged chronologically or in terms of their relevance, as within the concept of the rule of law, individual areas are mutually interconnected to a greater or lesser extent and represent equally important elements. Consequently, a brief reflection on the long-standing high flexibility (and therefore low rigidity) of the Slovak Constitution when it comes to its amendments, as well as the possibilities and limits of democratic resilience in relation to this constitutional flexibility will be offered. The policy paper concludes with a set of policy recommendations related to the analyzed topics, such as the reform of the General Prosecutor's Office, including the clarification of the Prosecutor General's powers and its relationship

with regional and district prosecutors, the establishment of the Office for the Protection of Public Interest, or the protection or even strengthening of the rights of national and sexual minorities.

The meaning of the rule of law according to the Slovak Constitutional Court

Although the Constitution itself does not specify which principles can be encompassed in the above-mentioned concise mention of the rule of law, the Slovak Constitutional Court has provided their explicit and extensive list in its decision-making activities. It reads as follows: the principle of freedom, the principle of equality, the principle of human dignity, the principle of the sovereignty of the people / the principle of democracy, the principle of legality, the principle of the sovereignty of the constitution and laws, the principle of the protection of human rights and fundamental freedoms, the principle of legal certainty, including the protection of legally acquired rights and of legitimate expectations, and the prohibition of (true) retroactivity. Additionally, it includes the principle of protecting citizens' trust in the legal order, the principle of justice (also referred to as the principle of substantive rule of law), the principle of the prohibition of arbitrariness / the prohibition of abuse of power, the principle of proportionality, the principle of separation of powers, including a system of mutual checks and balances, and the principle of transparency (public accountability) of the exercise of public authority (Finding of the Constitutional Court no. PL. ÚS 7/2017-159, pp. 107–108). Undoubtedly and in accordance with EU law, this list could be extended to include the principle of protecting the rights of minorities (national, religious, or sexual).

The Constitutional Court of Slovakia regards these principles of the rule of law to be the implicit substantive core of the Constitution, while emphasizing that "the mentioned enumeration of principles of the democratic and rule-of-law state is not necessarily exhaustive" (ibid.) and that any additional components of the substantive core of the Constitution "may be unveiled in specific disputes regarding the constitutionality of constitutional law, should such disputes arise" (Decision of the Constitutional Court No. PL. ÚS 21/2014-96, para. 95).

Regulation of lobbying

One of the recommendations of the European Commission in its *2022 Rule of Law Report*, specifically in the *Country Chapter on the rule of law situation in Slovakia*, was to, among other things, "introduce proposals to regulate lobbying and to strengthen the legislation on conflicts of interest and asset declarations." Despite the dramatic domestic political developments in Slovakia, this recommendation has not been implemented. In its Program Statement from April 2021, the government of Slovakia led by the then-PM Eduard Heger, pledged to "enact comprehensive lobbying legislation, encompassing legal regulation, a mandatory registry of lobbyists, and a code of conduct. The Government of the Slovak Republic also committed to establishing a dedicated lobbyist registry that would include information on the matters lobbyists intend to influence, details about their clients, as well as costs and compensation related to lobbying activities."

The comment procedure on the draft bill (legislative process no. PI/2021/264) was completed on December 15, 2021, but the draft itself has not been submitted to the parliament. It is also worth mentioning that no ministry has been assigned the task of proposing the lobbying bill in the Government's plan for upcoming legislative tasks in 2023. A similar objective had already been set by the government led by PM Peter Pellegrini, which, in its resolution from April 9, 2019, tasked itself with "preparing and submitting the draft bill on lobbying" with a completion date of December 31, 2021. However, this goal was not achieved. The caretaker government under PM Ľudovít Ódor did not include such a goal in its Program Statement for 2023. However, the cabinet failed to secure a vote of confidence in parliament. Consequently, the latest *2023 Rule of Law Report: Country Chapter on the rule of law situation in Slovakia* simply states that "as lobbying remains unregulated, no progress has been made regarding the implementation of the recommendation" issued the previous year.

Office for the Protection of the Public Interest

The aforementioned Country Chapter highlighted the then government's commitment "to establish an Office for the Protection of the Public Interest in charge of lobbying, conflicts of interest and asset declarations." Similar to the new lobbying bill, this objective has also not been realized. The effort to prepare for the establishment of this office has remained stagnant. Nowadays, when you search for information about this proposed office, you can only find one relevant piece of information on the internet browser. This is an undated video footage from a press conference featuring three MPs representing the Ordinary People and Independent Personalities movement (the footage is from December 2020, and its authenticity can be verified on one of the deputy's Facebook profile).

During the press conference, the potential scope of the office was defined as follows: a) investigating cases involving conflicts of public interest and the incompatibility of functions between public officials and employees of state and public administration, b) verifying the asset declarations of these individuals, c) ensuring the ethical conduct of these individuals' professions, including adherence to ethical codes, and d) ensuring compliance with lobbying regulations. According to the original plans, the office was supposed to be established by the end of 2022, following the model of similar institutions in France and Ireland. A parliamentary working group was also established for this purpose. However, as rightly pointed out in the European Commission's *2023 Country Chapter on the rule of law situation in Slovakia*, the establishment of this office "remains at an initial stage that is still a question of political discussion" (p. 18).

Prosecutor General and its discretionary power

In Slovakia, the so-called "Soviet model" of the General Prosecutor's Office operates, which holds an autonomous position within the state, independent of the government and parliament. To date, no institutional mechanisms have been established to hold it accountable for its actions or inaction. According to the Constitutional Court of the Slovak Republic's Finding from 1996, the General Prosecutor's Office is "a guardian of legality, enforcing the protection of rights and legally protected interests, independently of other authorities. Referring to the prosecutor's office as an independent state body is not in contradiction with the Constitution. Independence should be understood as independence from other state authorities, its autonomy, and non-subordination to other bodies" (PL. ÚS 17/96, p. 15).

It was established as a monocratic and centralized body that manages, administers, and governs itself, excluding any external interference. Therefore, it functions as a "state within a state" and operates not only in the field of enforcing criminal responsibility. The decisions of the General Prosecutor's Office, including its choice not to file charges, are not subject to judicial review. Its actions and conclusions lack public oversight.

The Prosecutor General possesses the authority, as an extraordinary measure, to overturn any conclusive decisions made by lower-level prosecutors or the police during the course of criminal proceedings, in accordance with paragraph 363 of the Criminal Code. There is no legal recourse available against such a decision, and it is not subject to judicial review. Critics of this provision in the Criminal Code argue that this power granted to the Prosecutor General to annul valid decisions during preliminary proceedings carries significant risks, which have become evident recently, particularly in relation to the investigation and prosecution of several high-profile corruption cases.

Several elected representatives have expressed their opinion that it is not appropriate for the powers of the Prosecutor General to be defined so broadly. The criticized provisions of the Criminal Code are seen as a mechanism that can be easily misused, and therefore, they are considered a constitutionally questionable institution within a democratic society. Moreover, it has been argued that since the decisions of the Prosecutor General are not subject to judicial review, they represent a privilege and prerogative reminiscent of feudal times, and as such, they are fundamentally inconsistent with the fundamental principles of any democratic state and the rule of law. This is why

a group of 42 MPs, along with President Zuzana Čaputová, independently requested that the Constitutional Court assess the compliance of paragraphs 363–367 of the Criminal Code with the Constitution of the Slovak Republic.

The decision of the Constitutional Court garnered significant attention from the Slovak media, and the Faculty of Law at Comenius University in Bratislava submitted an expert opinion as *amicus curiae*. In their expert opinion, the faculty's experts asserted that paragraphs 363 to 367 of the Criminal Code can clearly be interpreted and applied in a manner consistent with the constitution. They argued that these provisions serve a legitimate purpose, which is to uphold the legality of decisions made by prosecutors and police officers and ensure the constitutional compliance of interventions resulting from these decisions. Therefore, the faculty recommended that the Constitutional Court reject the proposals put forth by the petitioners, namely the 42 members of parliament and the President. In its decision dated June 21, 2023 (No. PL. ÚS 1/2022-270), the Constitutional Court indeed rejected the proposals of the petitioners.

Dismissal procedure for members of the Judicial Council

The Constitutional Court of the Slovak Republic in its Finding dated November 18, 2015 (no. PL. ÚS 2/2012-90, para. 9.4), described the Judicial Council of the Slovak Republic as "a distinct independent constitutional entity within the judicial branch primarily tasked with ensuring the independence of the judiciary and its judicial legitimacy. It bears responsibility for overseeing the functioning of the judiciary, the administration of judicial authority, and judicial transparency. Therefore, it should be considered an equal partner to the legislative and executive branches."[1]

The role and position of the Judicial Council within the framework of constitutional bodies are governed by Articles 141a and 141b of the Constitution of the Slovak Republic. The Council consists of 18 Members, with half of them being judges elected by their fellow judges. The Government, the Parliament, and the President of the Slovak Republic each appoint three members to the Council.

Law no. 185/2002 Coll. concerning the Judicial Council of the Slovak Republic, in paragraph 27, addresses the procedural aspects of removing a Council member without specifying the conditions that should precede such removal. As a result, concerns persist regarding the removal procedure for Judicial Council members, as they can be dismissed at any time by the authority that appointed them.

However, the Constitutional Court had previously commented on the issue of dismissal conditions for Council members in its 2011 Ruling (no. IV. ÚS 46/2011-13, p. 18). In this ruling, the court pointed out that the composition of the Council, as well as the manner of its dissolution, are based on the requirement to maintain a (political) trust relationship between Council members and the entities that appointed them. This trust relationship must align with the authorizations granted to these entities to remove Council members from their positions due to a "loss of trust" or any other reason not specified by the Constitution or by law. Consequently, the Court affirmed that a Council member may be dismissed for various reasons, including a loss of trust by the appointing body or other unspecified grounds not stipulated by the Constitution or by law.

Former Justice of the Constitutional Court Ján Drgonec pointed out that with this interpretation, the Constitutional Court applied the delegation principle borrowed from the model of establishing and decision-making in a commercial company. He noted that "if membership in the Judicial Council of the Slovak Republic is founded on the delegation principle, which encompasses the authority of an appointing entity to dismiss a delegate at any time and appoint a replacement delegate, then the interpretation and application of Article 141a of the Constitution

[1] In his Dissenting Opinion (para. 4), Justice Ladislav Orosz at the time expressed dissatisfaction with this characterization. He stated that "when formulating this definition, the Constitutional Court failed to clarify the content and distinctions between the fundamental constitutional terms »judicial power« and »judiciary« as used in it. Additionally, it it attributed functions to the Judicial Council that clearly fall outside its constitutionally defined mandate (e.g., responsibility for »... the administration of judicial power and the judiciary«), further muddling the nature of this »special constitutional body«"

deviated significantly from the intended purpose of establishing the Judicial Council of the Slovak Republic as a constitutional state body." (Drgonec, 2016, p. 748) Furthermore, the process of removing a Council member varies significantly in its stringency. "The most challenging to dismiss is a Council member elected by judges. In contrast, the conditions for the removal of appointed members of the Judicial Council are so lax that it is difficult to perceive any legal certainty being afforded to these members" (op. cit., p. 749). It is worth noting that legal certainty, as mentioned earlier, is one of the fundamental principles of the rule of law.

Public Defender of Rights in the political system

According to the Constitution of the Slovak Republic (Article 151a, para. 1), the Public Defender of Rights (the official legal title of ombudsman in Slovakia) is an independent entity. It is tasked, as defined by law, with safeguarding the basic rights and freedoms of both natural persons and legal entities during interactions with public administration bodies and other public authorities, particularly when their actions, decisions, or inaction run counter to the legal framework. In cases established by law, the ombudsman can also participate in holding individuals working within public authorities accountable if these individuals have infringed upon the fundamental rights or freedoms of natural persons and legal entities.

Several events in Slovakia have highlighted the relatively weak position of the ombudsman within the political system, particularly in relation to their interaction with Parliament. In early 2014, the then-Speaker of Parliament, Pavol Paška (a member of the then-governing SMER-SD party), proposed a bill to relocate the ombuds(wo)man's office to the eastern part of the country. This proposal could not only be perceived as a symbolic gesture to strengthen the independence of the ombudswoman (similar to how the Slovak Constitutional Court is located in the city of Košice at the opposite end of the country), but rather as an attempt by a high-ranking member of the SMER-SD party to seek retribution against a former representative from the opposite ideological spectrum, as evidenced by Paška's words during the parliamentary debate: "The entire ensemble, all collaborators, the party cell SDKÚ-DS, (...) are those for whom it is unimaginable that they should leave Bratislava" (Paška, 2014).

Moreover, this move was seen as a response to the criticism voiced by the then-ombudswoman, Jana Dubovcová, regarding serious human rights deficiencies during the one-party government of social democrats (2012–2016). Dubovcová had identified significant shortcomings in the protection of human rights in her annual report. Deputies suggested reviewing and resubmitting the report in their resolution. Furthermore, in August 2013 Dubovcová submitted an extraordinary report to Parliament addressing the so-called Moldava Case.[2] In this report, she criticized the police procedures and called for the establishment of an independent external oversight body for police activities in areas not investigated by the prosecutor's office. Nevertheless, the ombuds(wo)man's office has remained in the capital, Bratislava (Paška and his party ultimately decided for unknown reasons not to carry out their plan), and Dubovcová did not revise her annual report due to the absence of a legal basis for such action.

In 2020, the deputies refused acknowledge the annual report of the ombudswoman, who was Mária Patakyová at the time. During the parliamentary debate, there were several harsh criticisms directed at her. Some deputies justified their decision by stating that it contradicted their conservative beliefs, asserting that the report did not sufficiently protect the rights of unborn children. Instead, they argued that it emphasized the reproductive rights of women and the rights of sexual minorities. The criticism of the ombudswoman by some deputies was, in part, driven by her support for the rights of the LGBTIQ minority, as demonstrated by both Patakyová and her predecessor Dubovcová.

[2] For more about this controversial police intervention (June 19, 2013) in a Roma settlement in Moldava nad Bodvou see, https://enrsi.rtvs.sk/articles/news/293786/settlement-between-slovakia-and-romas-from-moldava-nad-bodvou-raid-case, http://www.errc.org/press-releases/slovak-government-to-pay-damages-to-roma-from-moldava-nad-bodvou-police-raid, https://hudoc.echr.coe.int/fre#{%22tabview%22:[%22document%22],%22itemid%22:[%22001-204154%22]}.

It can be argued that the extent of human rights oversight in Slovakia appears to be significantly influenced by the personal preferences and biases of the deputies towards the ombuds(wo)man. There is a clear indication of a strong political influence exerted by the Parliament on the ombuds(wo)man's office, as deputies are prepared to "penalize" the office itself in response to political and/or ideological disagreements with the individual who holds that position. They can do it either legislatively (as it was shown on the example of the threat of relocating the office), politically when deputies did not to acknowledge the annual or extraordinary report submitted by the ombudswoman) or even economically (through the possible reduction of funds at approval of the State Budget Act. The PDR office is a budgetary organization that is part of the State Budget chapter 'General Treasury Administration' and manages exclusively state budget funds).

The rights of national minorities

The government plan for upcoming legislative tasks in 2023, as mentioned above, did not incorporate the bill concerning the status of members of national minorities. Slovak media reported that this was confirmed by the Government Plenipotentiary for National Minorities, László Bukovszky. He mentioned that he himself was unaware of the reasons behind the omission of this task from the legislative plan presented by the then Deputy Prime Minister Štefan Holý. "I regret that this task did not find its way into the government documentation, even though I initiated it and formally requested it in writing. I am not aware of any alternative timeline for accomplishing this task from the government's program statement," stated the plenipotentiary.

The Program Statement of the Heger-led government had included a commitment to pass legislation on the status of national minorities as a means of slowing down the assimilation of national minority members and ensuring the implementation of minority rights as stipulated by the Constitution. This law was intended to address the status of national minorities and provide a clear framework for the consistent application and specification of their rights guaranteed by the Constitution.

It is noteworthy that the Program Statement (2023) of the caretaker government led by PM Ódor did not contain any such proposal. It only mentioned national minorities in the context of state support for their cultural and artistic activities. However, the most recent Concept of Civil Society Development for 2022–2030, adopted in August 2022, includes one of its strategic objectives as "consistently involving the public, with an emphasis on vulnerable groups and the general public, in the processes of formulating selected public policies." In addition to children, teenagers, and seniors, "national and ethnic minorities" are also recognized as a vulnerable group.

The rights of sexual minorities

Individuals belonging to the LGBTIQ minority in Slovakia have long experienced an inferior position compared to the majority concerning both their personal safety and human rights. In terms of personal safety, the previously mentioned murders of two young individuals from this minority in Bratislava in October 2022, along with numerous verbal attacks by politicians from certain political parties targeting this minority, are relevant examples. It is evident that state authorities are not effectively safeguarding the rights of this minority. Regarding human rights, there is no legal framework regulating same-sex cohabitation in a manner equivalent to the marriage of individuals of different sexes, as explicitly defined in the Slovak Constitution.

For several decades, there have been recurring parliamentary and, more recently, even governmental initiatives aimed at legalizing same-sex unions, but they have not achieved success (see Sekerák, 2017). Historically, the first such legislative initiative was a proposal by a group of deputies to enact a law on the life partnership of two individuals of the same sex in 2001. However, this proposal did not pass during the initial parliamentary vote. One of the most recent parliamentary initiatives emerged in 2022, with a proposal by a group of deputies to amend Act No. 40/1964 Coll. Civil Code. Their suggestion included the introduction of the terms "cohabiting male partner" and

"cohabiting female partner". The proposal was designed to be gender-neutral, allowing for cohabitation between two individuals of different sexes and also between individuals of the same sex. It aimed to establish legal rights for cohabiting partners in areas such as inheritance, access to health information, and the right to nursing allowances. Similar to a comparable initiative from two decades ago, this legislative proposal did not pass during the initial vote.

In early 2023, the then Minister of Justice Viliam Karas introduced a draft law that pertained to individuals cohabiting in the same household, including same-sex couples. According to the proposal, a person should have been authorized to designate their partner as their confidant before making a declaration before a notary public. This authorization would have allowed such a person to inherit and potentially be designated as the guardian of their partner's children in the event of the partner's death. However, this initiative did not come to fruition. The government, led by Prime Minister Eduard Heger, which had already lost a vote of confidence in Parliament the previous December, was dismissed by President Čaputová in May 2023. Heger himself had requested the removal of the authority to temporarily lead the government as per the Constitution.

Flexibility to change the Constitution

The Slovak Constitution is one of the most flexible written constitutions globally and is the least rigid in Europe because changing or amending it only requires the vote of 90 out of 150 deputies. Since its adoption on September 1, 1992, it has been amended a total of 22 times. The Constitutional Court intervened once with its Finding dated January 30, 2019 (no. PL. ÚS 21/2014), declaring the inconsistency of certain parts of the text of Constitutional Act no. 161/2014 Coll. This declaration rendered those parts ineffective on the day the Finding was announced in the Collection of Laws of the Slovak Republic.

Through this Finding, the Court accomplished several objectives: (i) It declared the existence of an unchangeable part of the Constitution, often referred to as the *material core*; (ii) It partially defined the elements included within this unchangeable part; (iii) It established itself as a state body capable of overseeing the above-mentioned aspects. Lastly, (iv) it entrusted the people, as to the "original constitution-giver", with the ability to confirm any amendments or additions to the Constitution through constitutional referendums. With this decision, the Court significantly increased the rigidity of the Slovak Constitution, as proposed constitutional changes cannot alter or negate the immutable portions of the Constitution.

Subsequently, the Parliament adopted Constitutional Act No. 422/2020 Coll., which added the following sentence at the end of the Art. 125 par. 4 of the Constitution which reads as follows: "The Constitutional Court shall not decide on the compatibility of a constitutional law with the Constitution." This amendment to the Constitution eliminates the Constitutional Court's authority to review the constitutionality of constitutional amendments, effectively denying the existence of more critical sections of the Constitution. Simultaneously, it grants the people the authority to determine the legitimacy of constitutional amendments. This places the Parliament in the position of the sole constitutional body capable of deciding on a constitutional change, not only without consulting the people (who are the sovereign and the "original constitution-giver") but also without being subject to external oversight by the Constitutional Court. According to the critical statements of some Slovak jurists, this constitutional change enshrining the exclusion of the judicial review of the constitutional law with the Constitution, as well as the concept of the Parliament as the only constitution-giver, contradicts the values of constitutionalism and democracy (cf. Ľalík, 2021, p. 117).

This constitutional amendment opens an unprecedented window of opportunity for a significant change of the constitutional text by the parliament, which can entirely exclude the people as the original constitution-giver. It should be added that this exclusion would be purely symbolic; this means that the Constitution could be significantly and easily altered even in the face of the majority of citizens disagreeing with such a change. There was no referendum even during the initial adoption of the Slovak Constitution, in which citizens would have

approved the constitutional text. This means that constitutional laws, which can be adopted relatively quickly and easily due to the aforementioned great flexibility of the Constitution, can alter the fundamental principles of a democratic state based on the rule of law. Undoubtedly, such changes would be in conflict with EU Treaties, and the CJEU would sanction them. However, a potential firm decision by political forces to deviate the Slovak Republic from democratic path and the rule of law principles might not deter them in their efforts. Since the Constitutional Court is explicitly prohibited from assessing the compatibility of constitutional laws with the Constitution, the door is open to various, even radical, changes through parliamentary decisions. In such a scenario, the people, as the sovereign, and the Constitutional Court, as the guarantor of constitutionality, will merely be passive observers without any means to exert influence.

Recommendations

Based on the description of the current situation in the rule of law, several policy recommendations can be formulated for the Slovak Republic. The implementation of these recommendations could not only better protect human rights and civil liberties but also ensure the improved and more transparent functioning of democratic institutions within the Slovak polity. These recommendations can primarily include:

- Swift adoption of legislation regulating lobbying according to international standards and recommendations, including the establishment of a lobbyist registry.
- Establishment of a robust, functional, and effective Office for the Protection of Public Interest, based on broad political consensus (if such consensus across the political spectrum is at least somewhat feasible in the coming years). This should take into account cost savings in public funds and the elimination of unnecessary bureaucracy.
- Reform of the entire prosecution system, with particular attention to the current operation of the "Soviet model" of the monocratic General Prosecutor's Office, accompanied by clarification or even reduction of the powers of the General Prosecutor. This should include changes in the hierarchy and subordination relationships between the General Prosecutor and regional or district prosecutor's offices.
- Legislative clarification of the removal procedure for Judicial Council members.
- Adjustment of the legal status of the Public Defender of Rights (ombudsman) to ensure that the existence of this office is not subject to political whims, especially concerning the relationship between the parliament and the ombudsman.
- Adoption of legislation characterizing the status of members of national minorities and ethnic groups living in the territory of the Slovak Republic, ensuring the implementation of the constitutional rights of these groups.
- Equalizing the rights of members of the non-heterosexual minority (LGBTIQ+), with a focus on life partnerships and their related circumstances, to be equivalent to current marital unions as defined by the Slovak Constitution. Simultaneously, ensuring better protection for members of these minorities against hate crimes, whether physical or verbal attacks.

The final proposed policy recommendation is a significant increase in the rigidity of the Constitution of the Slovak Republic to eliminate its arbitrary and frequent changes, which undermine the stability of the constitutional text itself, as well as constitutional democratic institutions and their mutual relationships. This would significantly enhance democratic resilience in Slovakia.

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